

6B  
JB

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Helmut SCHWAB et al.

: Attn: APPLICATION BRANCH

Serial No. [NEW]

: Docket No. 2001-1882A

Filed January 16, 2002

NEW GENES CONTAINING A DNA  
SEQUENCE CODING FOR HYDROXY-  
NITRILE LYASE, RECOMBINANT  
PROTEINS DERIVED THEREFROM AND  
HAVING HYDROXYNITRILE LYASE  
ACTIVITY, AND USE THEREOF

: THE COMMISSIONER IS AUTHORIZED  
TO CHARGE ANY DEFICIENCY IN THE  
FEE FOR THIS PAPER TO DEPOSIT  
ACCOUNT NO. 23-0975.

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents,  
Washington, DC 20231

Sir:

In the interest of compact prosecution and to reduce PTO filing fees, please amend the present application as follows:

IN THE CLAIMS:

*Please cancel claims 12 and 16 without prejudice to the subject matter thereof.*

*Please amend claims 7, 11, 13 to 15, and 17 as follows:*

P1  
7. (Amended) A recombinant protein, which can be prepared in suitable host cells by heterologous expression of the DNA sequence of the *Prunus amygdalus HNL* genes as claimed in claim 1.

B2  
11. (Amended) The recombinant protein as claimed in claim 7, wherein the protein has the amino acid sequence derived from the nucleotide sequence of the gene containing a DNA